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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JIA YUE,

Defendant.

No. CR-09-00917-VRW

~~PROPOSED~~ ORDER AND  
STIPULATION EXCLUDING TIME  
FROM NOVEMBER 12, 2009, TO  
JANUARY 7, 2010, FROM THE SPEEDY  
TRIAL ACT CALCULATION (18 U.S.C. §  
3161(h)(8)(A))

On November 12, 2009, a status conference was held before the Court and the parties stated that discovery was still being produced by the Government and reviewed by defense counsel. The Court set the matter for a further status conference/trial setting hearing on January 7, 2010.

With the agreement of the parties, and with the consent of the defendant, the Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from November 12, 2009, through January 7, 2010.

///

1 The parties agree, and the Court finds and holds, as follows:

2 1. The defendant agrees to an exclusion of time under the Speedy Trial Act from  
3 November 12, 2009, through January 7, 2010, based upon the need for effective preparation of  
4 counsel. The defendant agrees to this exclusion on the condition that his right to bring motions  
5 claiming Speedy Trial Act violations prior to November 12, 2009, shall remain preserved.


6 2. Counsel for the defendant believes that the exclusion of time is in her client's best  
7 interest.

8 3. Given these circumstances, the Court finds that the ends of justice served by  
9 excluding  
10 the period from November 12, 2009, through January 7, 2010, outweigh the best interest of the  
11 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

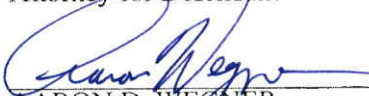
12 4. Accordingly, and with the consent of the defendant, the Court orders the period from  
13 November 12, 2009, through January 7, 2010, shall be excluded from Speedy Trial Act  
14 calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

15  
16 STIPULATED:

17  
18 DATED: 11/17/09

  
GALIA PHILLIPS  
Attorney for Defendant

19  
20 DATED: 11/17/09

  
AARON D. WEGNER  
Assistant United States Attorney

21  
22  
23 IT IS SO ORDERED.

24  
25 DATED: 12/9/2009

